

AMENDMENTS TO THE DRAWINGS:

Attached hereto is one sheet of corrected drawings that comply with the provisions of 37 C.F.R. § 1.84. More specifically, in Figure 2A, arrows are added between steps 224 and 226 and in between steps 226 and 228 to enhance consistencies with the specification. *See e.g., paragraph [0027].* Applicants respectfully request that the corrected formal drawing be approved and made a part of the record of the above-identified application.

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-39 are pending, of which claims 1, 12 and 23 are independent. By this Amendment, claims 34-39 are added.

In numbered paragraph 1 on page 2 of the Office Action, the Examiner objects to the specification. The Examiner alleges that the specification does not describe what a computer readable medium comprises. Applicants respectfully disagree. As indicated in paragraphs [0003] and [0052], it is described that software or computer programs can be stored on a machine-readable medium, wherein the software or computer program includes instructions for causing a computing device such as computer, computer system, microprocessor, or other computing device, to perform the method or processes. The machine readable medium thus includes any medium that is capable of storing software or computer programs. The specification does provide the description of the readable medium.

Applicants disagree also with the Examiner's assertion that the readable medium refers to the memory/storage device referred to in paragraph [0046] and Figure 3. Figure 3 illustrates the components of an exemplary embodiment of a network manager 304. The compute readable medium is not limited to the memory/storage device 310 as illustrated in Figure 3. Applicants respectfully request that the objection to the specification be withdrawn.

In numbered paragraphs 2-4 on pages 2-3 of the Office Action, the Examiner objects to the incorporation by reference of a co-pending U.S. application. To address this issue, paragraph [00001] of the specification is amended. Applicants

respectfully request that the objection to the incorporation by reference be withdrawn.

In numbered paragraph 5 on page 3 of the Office Action, the Examiner states that for the purposes of examination, the phrase "means for receiving" in claim 12 is interpreted as the computer 306 in Figure 3 and the phrase "means for connecting" in claim 12 is interpreted as the hardware embodying the interface 308 in Figure 3. Applicants respectfully submit that the scope of the claims encompasses both the specific device illustrated in Figure 3 as well as equivalents thereof.

In numbered paragraphs 6-18 on pages 3-5 of the Office Action, the Examiner rejects independent claims 1, 12 and 23 and dependent claims 2, 4-7, 10-11, 13, 15-18, 21-22, 24, 26-29 and 32-33 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,805,819 to Chin et al. Applicants respectfully traverse.

Applicants have disclosed a system and method for managing a network of nodes. As variously exemplified in Figures 1-3, the method for managing a network of nodes includes receiving information identifying the nodes of the network, and grouping the nodes into zones as a function of relationships among the nodes, such that each zone satisfies a threshold that is based on an operational capacity of a discovery agent assigned to discover the network. An exemplary system for managing a network of nodes includes means or a mechanism for receiving information identifying the nodes of the network, and grouping the nodes into zones as a function of relationships among the nodes, such that each zone satisfies a threshold that is based on an operational capacity of a discovery agent assigned to discover the network, and means or a mechanism for connecting to the network.

The foregoing features are broadly encompassed by independent claim 1 which recites a method for managing a network of nodes, comprising a method for managing a network of nodes, comprising: receiving information identifying the nodes of the network; and grouping the nodes into zones as a function of relationships among the nodes, such that each zone satisfies a threshold that is based on an operational capacity of a discovery agent assigned to discover the network. As encompassed by claim 1, a discovery agent is assigned to discover the network. A threshold for grouping the nodes into zones is based on an operational capacity of the discovery agent. The Chin et al. reference does not teach or suggest this feature.

Referring to column 9, lines 12-28 of the Chin patent, the Examiner alleges that Chin teaches this feature. The relied upon portion of the Chin patent indicates that a display may be used to display visual indicators of a network. The Examiner alleges that the "typical computer display" is equivalent to the discovery agent of the Applicants' claim 1. One of ordinary skill would appreciate that a display is merely used to display visual information received from any designated source. A display does not inherently have any capacity or capability to discover a network, and no such capability is discussed in the Chin patent.. Claim 1 is therefore allowable over the Chin et al. reference.

Independent claims 12 and 23 recite similar features. Thus, claims 12 and 23 are also allowable over the Chin et al. reference.

Dependent claims 2, 4-7, 10-11, 13, 15-18, 21-22, 24, 26-29 and 32-33 depend from independent claims 1, 12 and 23 and recite further distinguishing

features. Therefore, these dependent claims are also allowable over the Chin et al. reference.

In numbered paragraphs 19-26 on pages 5-7 of the Office Action, the Examiner rejects independent claims 1, 12 and 23 and dependent claims 2-4, 13-15 and 24-26 as being anticipated by U.S. Patent No. 7,159,036 to Hinchliffe et al. Applicants respectfully traverse.

Hinchliffe does not teach or suggest, among other features, the feature of "grouping the nodes into zones as a function of relationships among the nodes, such that each zone satisfies a threshold that is based on an operational capacity of a discovery agent assigned to discover the network." Hinchliffe is directed to updating out of date data stored by a plurality of destination computers with updated data stored by a source computer. As an example, antivirus definitions are updated as the definitions become available.

Relying upon column 5, lines 56-64 of the Hinchliffe patent, the Examiner alleges that Hinchliffe teaches the above-recited feature. The relied upon portion indicates that destination computers are grouped such that a number of computers within each group does not exceed a certain number. *See column 5, lines 56-64.* This allows a degree of control to be achieved over the network traffic generated. *See column 5, lines 18-22.* The destination computers are already known to the source computer at this point. *See also Figure 1.* There is no discussion of a discovery agent assigned to discover the network as recited in Applicants' claims. Accordingly, independent claim 1 is allowable over Hinchliffe.

Independent claims 12 and 23 recite similar features, and thus are allowable over Hinchliffe.

Dependent claims 2-4, 13-15 and 24-26 depend from independent claims 1, 12 and 23 and recite further distinguishing features. Accordingly, these dependent claims are also allowable over Hinchliffe.

New dependent claims 34-39 have been added. The features of the new claims are supported by the disclosure as originally submitted. For example, these claims encompass features in Figure 2 and in paragraph [0026]. The new claims recite features which further distinguish over the documents relied upon by the Examiner.

All objections and rejections having been addressed, Applicants respectfully submit that the present application is in condition for allowance. Thus, a Notice of Allowance is respectfully solicited.

Respectfully submitted,

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Attachment: Replacement Fig. 2A